

REFERENCE TITLE: illegal aliens; public benefits; reimbursement

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

HB 2624

Introduced by
Representatives Pearce, Burges, Groe, Kavanagh, Senator Harper:
Representative Murphy

AN ACT

AMENDING TITLE 1, CHAPTER 5, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 1-502; RELATING TO ELIGIBILITY FOR PUBLIC PROGRAMS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 1, chapter 5, article 1, Arizona Revised Statutes, is
3 amended by adding section 1-502, to read:

4 1-502. Illegal aliens: public benefits; court costs;
5 reimbursement: definitions

6 A. ANY ILLEGAL ALIEN WHO IS EMPLOYED IN THIS STATE AND WHO RECEIVES A
7 PUBLIC BENEFIT THAT IS PROVIDED BY THIS STATE SHALL REIMBURSE THIS STATE THE
8 COSTS OF THE PUBLIC BENEFIT. FOR THE PURPOSES OF THIS SECTION, THE JOINT
9 LEGISLATIVE BUDGET COMMITTEE SHALL DETERMINE THE AVERAGE COST OF THE PUBLIC
10 BENEFIT. WHEN DETERMINING THE AVERAGE COST OF THE PUBLIC BENEFIT, THE JOINT
11 LEGISLATIVE COMMITTEE SHALL CONSIDER THE REAL COST OF THE PUBLIC BENEFIT AND
12 FACTOR IN THE TOTAL NUMBER OF CHILDREN OF THE ILLEGAL ALIEN WHO RECEIVE
13 PUBLIC BENEFITS.

14 B. IF A CRIMINAL ACTION IS BROUGHT AGAINST AN ILLEGAL ALIEN WHO IS
15 EMPLOYED IN THIS STATE, THE ILLEGAL ALIEN SHALL REIMBURSE THIS STATE THE
16 COSTS INCURRED BY THIS STATE THAT RELATE TO THE CRIMINAL ACTION.

17 C. FOR THE PURPOSES OF THIS SECTION:

18 1. "ILLEGAL ALIEN" MEANS ANY PERSON WHO IS NOT A CITIZEN OR NATIONAL
19 OF THE UNITED STATES AND WHO IS UNLAWFULLY PRESENT OR UNLAWFULLY RESIDING IN
20 THE UNITED STATES.

21 2. "PUBLIC BENEFIT" MEANS ANY OF THE FOLLOWING PUBLIC BENEFITS THAT
22 ARE AUTHORIZED BY THE LAWS OF THIS STATE:

23 (a) PUBLIC ASSISTANCE BENEFITS, INCLUDING WELFARE BENEFITS, FOOD
24 STAMPS OR FOOD ASSISTANCE.

25 (b) HEALTH CARE BENEFITS AND PUBLIC HEALTH CARE ASSISTANCE.

26 (c) DISABILITY BENEFITS OR ASSISTANCE.

27 (d) PUBLIC HOUSING OR PUBLIC HOUSING ASSISTANCE.

28 (e) PUBLIC INSTRUCTION IN A KINDERGARTEN PROGRAM OR GRADES ONE THROUGH
29 TWELVE.

30 (f) INSTRUCTION AT A PUBLIC INSTITUTION OF HIGHER EDUCATION.